

UNITED STATES DISTRICT COURT

for the
District of New Mexico

United States of America)
v.)
)
Enrique HERNANDEZ-Nevarez)
)
)
Defendant(s) _____)
Case No: 18mj11672

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date of May 15, 2018 in the county of Dona Ana in the State and District of New Mexico, the defendant violated 8 U.S.C. §1326(a)(1)/(b)(2)(Re-Entry After Deport Agg Felon), an offense described as follows:

an alien, who had been previously arrested and deported from the United States, subsequent to being convicted of an aggravated felony, to wit: Knowingly or intentionally conspired to possess with intent to distribute a controlled substance, and who had not received the consent of the appropriate authority of the United States to reapply for admission into the United States, was found in the United States, being willfully in the United States unlawfully

This criminal complaint is based on these facts:

On May 15, 2018, a United States Border Patrol Agent encountered the Defendant in Dona Ana County, New Mexico. The Agent questioned the Defendant as to his citizenship to which the Defendant stated that he was a citizen and national of Mexico, present in the United States without Immigration Documents that would allow him to be or remain in the United States legally. Processing at the Santa Teresa Station revealed that the Defendant had been previously deported to Mexico via El Paso, Texas on or about October 4, 2016. This was subsequent to an aggravated felony conviction for "Knowingly or intentionally conspired to possess with intent to distribute a controlled substance" in the State of New Mexico on or about October 3, 2016. There is no evidence that the Defendant received permission from the Appropriate Authority to reapply for admission into the United States.

Continued on the attached sheet.

QY

Complainant's signature

Giovanni A. Cisneros Border Patrol Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: May 17, 2018

City and state: Las Cruces, N.M.


Judge's signature
KEVIN R. SWEAZEA
U.S. MAGISTRATE JUDGE